

# **Personnel Department**

## **San Luis Obispo County**



**MINUTES OF SPECIAL MEETING OF THE CIVIL SERVICE COMMISSION**  
**WEDNESDAY MAY 30, 2001, 9:00 A.M.**  
Personnel Conference Room  
County Government Center  
San Luis Obispo, California

Present: Commissioners John Burnham, Cyrus Hays, Terry O'Farrell, Jeannie Nix and President Robert Bergman.

Absent: None

Staff present: Dale Hanson, Commission Secretary; Angie Passant, Recording Secretary.

Counsel: Warren Jensen

### **1. CALL TO ORDER**

President Bergman called the meeting to order at 9:00 a.m., and led the flag salute.

### **2. PUBLIC COMMENT PERIOD**

President Bergman addressed the public/audience for anyone wishing to address the Commission during Public Comment Period.

There being no comments, Commissioner Bergman closed the Public Comment period.

### **3. FUTURE AGENDAS:**

Nothing to Report. President Bergman wished to confirm dates for the upcoming hearing. The dates for June were June 14 & 20. July 11-12 & 25-26; August 22-23 & 29-30.

### **4. TIME RESERVED FOR COMMISSION PRESIDENT**

Nothing to report

### **5. TIME RESERVED FOR COMMISSION ATTORNEY**

Nothing to report

### **6. TIME RESERVED FOR COMMISSION SECRETARY**

*These minutes reflect official actions of the Civil Service<sup>1</sup>Commission. A taped record of the Civil Service Meetings are generally available for inspection.*

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### Civil Service Rule 12.14 – Voluntary Reduction

Commissioner Hays asked if there was a possibility that this might come back to the Commission as a grievance as it involves a particular individual at this time. If this is a possibility, he felt that the Commission should not consider this item.

President Bergman asked for a chronology of events that led to this item coming before the Commission.

Secretary Hanson stated that the Personnel Department had received a request for a voluntary reduction. On reviewing this request, it was discovered that this particular candidate had applied for Social Worker, twice before, been screened out, although had met Minimum Qualifications. He quoted from the “Commission Rule definition of a “Voluntary Reduction”, stating this was to a lower classification, same or related series. He further referred to Ordinance 2.48 - Compensation, which stated lower salary range. This request was for a voluntary reduction to a classification with a higher salary range. Although there would be an initial pay loss of approximately four cents per hour, there is the potential to increase to a higher rate than the current classification. The question was; “is this a backdoor promotion?” He gave an example of a “voluntary reduction” that being, an STC reducing to an ITC. With the Employment Resource Specialist and the Social Worker, the Social Worker I starts a little below step five of ERS III. He did not feel this was “in the best interest of the county” when it could eventually be a promotion.

President Bergman asked for counsels advice.

Warren Jensen – County Counsel suggested that this should be deferred to see if it comes before the commission as a grievance.

President Bergman asked if the commission was in agreement with this. The decision was unanimous.

Leland Collins – Director of Social Services made comments on previous voluntary reductions in the department that were similar and had been granted. He stated that he had 19 cases where this had been granted in the past. He stated that he was not aware that this was going to become a grievance.

Warren Jensen stated that he felt at this point this issue was just a request from Personnel for advisement. He felt it should be put on the agenda with notification to all parties.

President Bergman stated that the commission wished to wait on this issue to see if it comes back in the form of a grievance.

President Bergman closed the meeting to go into closed session with legal counsel Larry Frierson and to consider the Findings and Decision for Chris Nagelschmidt and Judy Ezell.

President Bergman reopened the meeting.

### **7. FINDINGS AND DECISION: APPEAL OF TERMINATION CHRIS NAGELSCHMIDT**

IT WAS MOVED by Commissioner O’Farrell and seconded by Commissioner Hays to approve the Findings and Decision of Chris Nagelschmidt as written – Denied.

ROLL CALL: Commissioner O’Farrell, aye; Commissioner Hays, aye; Commissioner Burnham, aye; Commissioner Nix, aye; President Bergman, aye.

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### **8. FINDINGS AND DECISION: APPEAL OF TERMINATION - JUDY EZELL**

IT WAS MOVED by Commissioner Burnham and seconded by Commissioner Nix to approve the Findings and Decision of Judy Ezell – Granted.

ROLL CALL: Commissioner Burnham, aye; Commissioner Nix, aye; Commissioner O’Farrell, aye; Commissioner Hays, aye; President Bergman, aye.

### **ADJOURNMENT**

There being no further business, the special meeting was adjourned.